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July 12, 2023

VIA ECF

The Honorable Gabriel W. Gorenstein
Magistrate Judge
500 Pearl Street
United States Courthouse, Southern District of New York
New York, NY 10007

MEMORANDUM ENDORSED

Re: *Jacqueline Melendez v. NYU Langone Hospitals, Karlos Hernandez, and Kathleen Pacina, Docket No.: 22-cv-07632*

Dear Judge Gorenstein:

We represent Defendants in the above-referenced matter. We write jointly with Plaintiff, in accordance with Your Honor's Individual Practice Rule I(E), to request a forty-five (45) day extension of the fact discovery deadline, along with related deadlines for the motion to complete dispositive motions and/or file a joint pre-trial order and related pre-trial motion.

The parties request this extension for several reasons. First, the parties are working through disputes associated with the exchange of paper and electronic discovery. To date, the parties have, and continue to, engage in various meet and confers in good faith to avoid additional judicial intervention. Second, Defendants filed a pre-motion letter requesting the Court compel Plaintiff to produce authorizations and discovery responses. *See* DE 41. Your Honor ordered Plaintiff to either provide the signed authorizations for mental health records by June 30, 2023 or to stipulate in writing that Plaintiff will seek only "garden variety" damages for emotional distress. *See* DE 45. Plaintiff so stipulated. However, the parties have not to date received medical records from providers or social security records. Therefore, because the parties must rely on third-parties to produce such records, the parties remain concerned about the ability to meet the existing deadline of July 24, 2023 to complete discovery.

We believe the additional forty-five (45) days will provide the parties sufficient time to resolve any remaining discovery disputes, receive these records, and conduct depositions. This is the parties' third request for extension. The parties' first request for extension was granted on March 13, 2023 and the parties' second request for extension was granted on April 21, 2023. *See* DE 35 and DE 38.

More specifically, the parties are requesting:

(1) the deadline for completing discovery be extended from July 24, 2023 to September 7, 2023;

(2) the deadline for completing dispositive motions be extended from October 6, 2023 to November 20, 2023; and,

(3) the deadline for submitting a joint pretrial order, together with any motions in limine or motions to bifurcate, be extended from November 11, 2023 to December 28, 2023.

We thank the Court for its consideration of this request and attention to this matter.

Respectfully submitted,

JACKSON LEWIS, P.C.

Kathryn J. Barry

Kathryn J. Barry
Heather L. Veneroni

cc: All Counsel of Record (via ECF)

4885-5875-4927, v. 1

The proposed schedule is approved.

So Ordered.



GABRIEL W. CORENSTEIN
United States Magistrate Judge

July 13, 2023